

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

Sabrina Clark, on behalf of herself and a class)
of those similarly situated,)
Plaintiffs,)
vs.) 08-cv-00343 UA-WWD
Wells Fargo Financial, Inc. and Wells Fargo)
Financial North Carolina, Inc. d/b/a Wells)
Fargo Financial and Wells Fargo Financial)
Acceptance, and DOES 1-50,)
Defendants.

MOTION TO STAY DEADLINE FOR FILING CLASS CERTIFICATION MOTION

Local Civil Rule 23.1(b) requires, within 90 days after service of a pleading purporting to commence a class, the proponent of the class shall file a motion for certification that the action is maintainable as a class action, unless otherwise ordered by the Court. Plaintiffs hereby move that the Court stay the deadline for filing a class certification motion in this matter until after Defendants serve their answer to the Complaint, and until after Plaintiffs have three months to conduct basic discovery related to class certification issues (beginning the day after the parties meet-and-confer pursuant to Fed.R.Civ.P. 26). In particular, Plaintiffs have had no opportunity to seek discovery, but intend to seek discovery, relating to Defendants' policies, practices, and procedures specifically concerning overtime in the immediate geographic area and under the direct management chain where and for whom the Plaintiffs worked. Plaintiffs are also likely to amend the Complaint, and it would most efficient to pursue this amendment prior to class certification.

I certify under the penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: 8/21/08

s/Bryan J. Schwartz

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ATTORNEYS FOR NAMED PLAINTIFFS
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CERTIFICATE OF SERVICE

Clark, et al. v. Wells Fargo Financial, Inc. et al.

I hereby certify that on August 21, 2008, I caused the following document(s):

MOTION TO STAY DEADLINE FOR FILING CLASS CERTIFICATION MOTION

to be served via email to the following:

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